

## REMARKS

This communication is in response to the nonfinal Office Action issued April 2, 2003. The Examiner rejected claims 1-11, 14, 16-22, 25, 27, 28, and 31 under the judicially created doctrine of obviousness-type double patenting based on claims 1-17 of copending U.S. Patent Application No. 10/252,377 (the '377 application). The Examiner objected to claims 12, 13, 15, 23, 24, and 26. The Examiner indicated that claims 29, 30, 32, and 33 were allowed. The Examiner objected to the specification as containing an informality.

### Amendment to the Written Description

The Applicants have amended the abstract above as suggested by the Examiner. The Applicants have amended the written description above to indicate that the parent application issued as U.S. Patent No. 6,458,046.

### Claim Rejections Under Double Patenting

On pages 2-3 of the Office Action, the Examiner rejected claims 1-11, 14, 16-22, 25, 27, 28, and 31 under the judicially created doctrine of obviousness-type double patenting in view of claims 1-17 of the '377 application.

Applicants include with this Response a Terminal Disclaimer, in view of which the Examiner's double patenting rejections are believed to be overcome. As each of the objected-to claims (12, 13, 15, 23, 24, and 26) are ultimately dependant upon one of the claims rejected under obviousness-type double patenting and were not otherwise objected-to by the Examiner, the objections are believed to be overcome by the terminal disclaimer as well.

In view of the foregoing, the Examiner's rejections under the judicially created doctrine of obviousness-type double patenting of claims 1-11, 14, 16-22, 25, 27, 28, and 31 and objections to claims 12, 13, 15, 23, 24, and 26 are believed to be overcome.

Allowable Subject Matter

On page 3 of the Office Action, the Examiner indicated that claims 29, 30, 32, and 33 were allowed. The Applicants appreciate the Examiner's indication of allowable subject matter.

Additional Fees

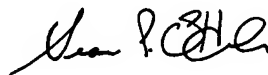
The Commissioner is hereby authorized to charge any insufficiency or credit any overpayment associated with this application to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 19-5127 (order no. 20002.0227).

Conclusion

Claims 1-33 are pending in the application. In view of the foregoing, all of the Examiner's rejections of the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all claims. Should the

Examiner feel further communication would help prosecution, the Examiner is urged to call the undersigned at the telephone number provided below.

Respectfully Submitted,



Sean P. O'Hanlon  
Reg. No. 47,252

Dated: 9/24/03

Swidler Berlin Shereff Friedman, LLP  
3000 K Street, NW  
Suite 300  
Washington, DC 20007  
(202) 424-7500